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TO SECSTATE WASHDC IMMEDIATE 0894
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AMEMBASSY LONDON
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AMEMBASSY SANTIAGO
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ARGENTINA PROJECT (S200000044)
U.S. DEPT. OF STATE, A/RPS/IPS
Margaret P. Grafeld, Director
☒ Release ☐ Excise ☐ Deny

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Declassify: ☐ In Part ☒ In Full **Decomp 1**
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[REDACTED] SECTION 1 OF 3 BUENOS AIRES 4412

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TAGS SHUM, AR
SUBJECT (U) HUMAN RIGHTS SUMMARY - MAY 31, 1979

REF: BUENOS AIRES 4230

1. (U) INTRODUCTION AND SUMMARY: THERE WAS CONSIDERABLE
CONSTERNATION EXPRESSED PRIVATELY HERE OVER RELEASE DUR-
ING THE PAST WEEK OF THE REPORT OF A COMMISSION OF THE
NEW YORK CITY BAR ASSOCIATION THAT VISITED ARGENTINE DUR-
ING APRIL, AND FOUND (INTER ALIA) THE JUDICIARY TO BE IN
SAD STATE. PUBLICATION OF TWO VERY TOUGH STORIES IN THE
NEW YORK TIMES ABOUT HUMAN RIGHTS CONDITIONS HERE, FOLLOWED
BY AN EVEN TOUGHER EDITORIAL ALSO CAUSED A GOOD DEAL OF
DISMAY- INCLUDING ONE BIT OF PRESS SPECULATION THAT
AMBASSADOR AJA ESPIL WOULD SHORTLY RETURN TO FACE QUESTIONS

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ABOUT THE ARTICLES. GENERAL VIOLA GAVE AN UNCHARACTERISTIC-
ALLY HARD FISTED TALK ON ARMY DAY (MAY 29) WHICH DENIED
THERE HAVE BEEN HUMAN RIGHTS VIOLATIONS IN ARGENTINA,

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PAISED THE ARMY (AND THE OTHER SERVICES) FOR ALL THAT WAS DONE TO COUNTER TERRORISM AND DESCRIBED THOSE INVOLVED IN THE TERRORIST MOVEMENT AS MISTAKENLY HAVING BEEN BORN ON ARGENTINA'S SACRED SOIL. THERE WAS NO FURTHER MOVEMENT TO CLEAR UP THE DISAPPEARANCE PUZZLES REPORTED SEPTELS (SEE BUENOS AIRES 4053, 4082 AND 4233). END INTRODUCTION AND SUMMARY.

2. (U) PRESUMPTIVE DEATH STATUTE TO BE CHANGED FOR PENSIONS ---

THE ARGENTINE PRESS REPORTED ON MAY 27 THAT THE LEGISLATIVE ADVISORY COMMISSION (CAL) AFTER MORE THAN EIGHT HOURS OF DEBATE HAD AGREED ON A PROPOSED LAW TO EDUCE FROM SIX YEARS TO ONE YEAR THE TIME OF DISAPPEARANCE NEEDED FOR A LEGAL PRESUMPTION OF DEATH TO CLAIM STATE PENSIONS. FAMILIES OF PERSONS MISSING FROM THEIR HOMES FOR A CALENDAR YEAR, IF THE PROPOSAL IS ENACTED, MAY CLAIM THE PENSION DUE THE MISSING PERSON.

COMMENT: PRESS REPORTS WERE UNCLEAR WHETHER THE PRESUMPTIVE DEATH STATUTE WOULD BE MODIFIED FOR PURPOSES OTHER THAN PENSION RIGHTS. AT PRESENT, SALES OF PRSONAL OR JOINT PROPERTY AND REAL ESTATE OF DESAPARECIDOS ARE BARRED. TRAVEL OF MINOR CHILDREN OF MALE DESAPARECIDOS OUTSIDE OF THE COUNTRY IS SIMILARLY BARRED- ALL BY THE APPLICATION OF THE SIX YEAR PRESUMPTIVE DEATH STATUTE. FOR SOME TIME GOVERNMENT SOURCES HAVE INDICATED TO THIS EMBASSY THAT THE GOA PLANNED TO SUBSTANTIALLY MODIFY THE TIME LIMIT FOR PRESUMPTIE DEATH IN ORDER TO EASE THE FINANCIAL AND LEGAL BURDENS ON THE FAMILIES OF THE DESAPARECIDOS. THIS PRESS ANNOUNCEMENT IS THE FIRST CONCRETE INDICATION THAT

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THE GOVERNMENT IS BEGINNING TO MOVE IN TIS AREA. END COMMENT.

3. (U) THE FOWG REPLIES ---

ON MAY 30, 1979 THE EMBASSY RECEIVED 128 REPLIES TO OUT REQUESTS FOR INFORMATION REGARDING DISAPPEARED AND DETAINED PERSONS FROM THE FOREIGN OFFICE WORKING GROUP ON HUMAN RIGHTS. OUR FIRST REVIEW OF THE FOWG REPLIES SHOWS THAT NOW NEW INFORMATION WAS DEVELOPED REGARDING DESAPARECIDOS OR DETENIDOS. IN 65 OF THE REPLIES THE GOVERNMENT ASSERTS THAT IT HAS NO INFORMATION REGARDING THE WHEREABOUTS OF THE PERSON; IN FIVE CASES THE PERSON WAS REPORTED TO HAVE LEFT THE COUNTRY; IN SIX CASES THE PERSON IS UNDER PEN SUPER-VISED FREEDOM; IN THIRTEEN CASES THE PERSON HAS HAD HIS

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PEN STATUS REMOVED; IN FIVE CASES THE PERSONS WERE SERVING SENTENCES; AND IN 34 CASES THE PERSON REMAINS DETAINED UNDER THE PODER EJECUTIVO NACIONAL. WE ARE NOTING OUR RECORDS AND PREPARING REPLIES TO THE APPROPRIATE CONGRESSIONAL OFFICE OR INTERESTED PARTY IN THE US.

4. (U) NEW YORK CITY BAR ASSOCIATION REPORT RELEASED --- THE REPORT ON THE HUMAN RIGHTS SITUATION IN ARGENTINA PREPARED BY A MISSION OF FIVE NEW YORK LAWYERS OF THE BAR ASSOCIATION OF THE CITY OF NEW YORK WAS RELEASED IN LATE MAY AND WAS REPORTED IN ONLY TWO ARGENTINE PAPERS. ON MAY 27 THE BUENOS AIRES HERALD CARRIED A DETAILED STORY ON THE REPORT, WHILE THE FOLLOWING DAY LA PRENSA CARRIED A UPI WIRESERVICE STORY. THE LAWYERS' REPORT FOCUSES ON THE "DESAPARECIDOS," PEN PRISONERS, JAIL CONDITIONS AND THE FUNCTIONING OF THE JUDICIAL SYSTEM IN ARGENTINA. THE REPORT CONCLUDES THAT THE AVAILABLE

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EVIDENCE LEADS TO THE CONCLUSION THAT PERSONS OPERATING UNDER THE AUTHORITY OF THE ARGENTINE GOVERNMENT OR ARMED FORCES HAVE SYSTEMATICALLY ABUSED, TORTURED, AND IN MANY CASES KILLED THOUSANDS OF "DISAPPEARED PER-

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SONS." THE REPORT NOTES SOME HOPREFUL SIGNS OF CHANGE AND EMPHASIZES A "FORMAL PROMISE" THE MISSION RECIEVED FROM ARMY JUNTA MEMBER VIOLA THAT MOST (ALTHOUGH NOT ALL) OF THE PEN DETAINEES WOULD SHORTLY HAVE THEIR STATUS REGULARIZED. THE REPORT CALLS FOR THE GOA TO PROVIDE INFORMATION REGARDING THE WHEREABOUTS OF THE "DESAPARE-C DOS," WHILE REFERRING TO THE CLANDESTINE DETENTION OF SOME PERSONS REPORTED TO BE MISSING. THE REPORT FURTHER CALLS FOR THE IMMEDIATE NORMALIZATION OF THE STATUS OF THE 2,500 PEN PRISONERS, AND FINALLY CALLE ON ARGENTINA'S MAJOR BAR ASSOCIATIONS TO EXERT THEIR

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INFLUENCE PUBLICLY AND PRIVATELY, TO URGE AN IMMEDIATE RETURN TO LAWFUL CONDUCT BY ALL PERSONS IN AUTHORITY. THE PERMANENT ASSEMBLY IS TRANSLATING THE NEW YORK LAWYERS' REPORT INTO SPANISH FOR DISTRIBUTION WITHIN THE COUNTRY.

5. [REDACTED] COMMENT: THE IMPACT OF TH NEW YORK CITY BAR ASEOCIATION'S REPORT, WILL BE HE GHTENED IF HUMANRIGHTS ACTIVISTS ARE SUCCESSFUL IN HAVIN HAVING THE DOCUMENT DISTRIBUTED WIDELY IN ARGENTINA THE REPORT'S RECOUNTING OF TTE HUMAN RIGHTS VIOLATIONS ASSOCIATED WITH THE DESAPARECIDOS, PENDETAINEES AND PRISON MISTRATEMENT REPEATS OBSERVATIONE MADE BY OTHER INVESTIGATORS OF THE ARGENTINE HUMAN RIGHTS SCENE. THE REPORT'E REALLY SIGNIFICANT CONTRIBUTIONIS IN ITS DETAILED ANALYSIS OF ARGENTINA'S POORLY FUNCTIONING JUDICIAL SYSTEM. END COMMENT.

6. (U) NEW YORK TIMES VS. ARGENTINA ---
TIMES' MAN, JOHN OAKES, HARD HITTLING ARTICLES ON ARGENTINE REPRESSION OF MAY 15 AND 16 FOLLOWED BY A VERY CRITICAL TIMES' EDITORIAL ON MAY 20 ENTITLED "THE MAD DOCTORS OF ARGENTI
A" HAS PROVOKED A SERIES OF PUBLIC AND PRIVATE REACTIONS IN ARGENTINA. THE FIRST REACTION -- AS REPORTED HERE- WAS A PAID ADVERTISEMENT IN THE MAY 24 NYT PLACED BY THE "ARGENTINA NDEPENDENT REVIEW" AND THE "ARGENTINA SOCIETY, INCORPORATED" CRITICIZING OAKES' REPORTING AND THE TIMES EDITORIAL

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AE DEVOID OF JOURNALISTIC INVESTIGATION. THE REBUTTAL
AESERTS THAT "FREEDOM IN ARGENTINA IS EXEMPLIFIED BY
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ITS JUDICIARY AND PRESS, BOTH OF WHOM REGULARLY CHALLENGE
GOVERNMENT POLICIES- EVEN THE GOVERNMENT'S POLICY
ATAINST TERRORISM." THE ADVERTISEMENT ALSO STATES
THAT THEMISSING PERSON ALLEGATIONS PUBLISHED IN THE
T
MES " SHOWIGNORANCE OFGUERRILAA TACTICS" OF USING
MULTIPLE IDENTITIES. MR OAKES REBUTTED THE ARGENTINE
ADVERTISEMENT IN A LETTER TO THE ED
TOR THE FOLLOWI
G
DAY.

LOCAL NEWSPAPERS REPORTED THAT THE ARGENTINE
AMBASSADOR IN WASHINGTON. AJA ESPIL, IS BEING RECALLED
TO BUENOS AIRES TO DISCUSS THE TIMES' ARTICLE WITH
SENIOR OFFICIALS OF THE GOA.
COMMENT: AMBASSADOR AJA ESPILASSITED
IN MAKING THE ARRANGEMENTS FOR
OAKES TO VISIT ARGENTINA. OAKES MET WITH MAZ GOA
NOTABLE FROM PRESIDENT VIDELA ON DOWN, AS WELL AS WITH
HUMAN RIGHTS ORGANIZATION LEADERS AND FAMILIE
S OF DISAPPEARED
AND DETAINED PERSONS. END COMMENT.

7. (U) SMITHS RELEASED ---

"LA PRENEA" ON MAY 31 REPORTED THE RELEASE OF
PSYCHOLOGISTS ALFREDO SMITH (514-78-8) AND SILVIA CRIADO
DE SMITH (514-78-8). BOTH HAD BEEN ABDUCTED IN AUGUST
OF 1978 AND THEN SURFACED UNDER "PEN" STATUS IN
NOVEMBER. ANNOUNCEMENT OF THE RELEASE CAME FROM THE
BUENOS AIRES ASSOC
ATION OF PSYCHOLOGISTS-- OF WHICH
ALFREDO IS AN EX-SECRETARY. THE ASSOCIATION ATTRIBUTED
THE RELEASE TO ACTION BY FEDERAL JUDGE R
VAROLA.

8. (U) PRESS PLAY OF DISAPPEARANCES---

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THE SZNAIDER DISAPPEARANCE, WITH FIVE FOLLOW STUDENTS,
BROKE INTO PRINT IN THE BUENOS AIRES HERALD ON MAY 25
AND IN CLARIN THE FOLLOWING DAY.

9. (U) SHINDIG CANCELLATIONS ---
THE BUENOS AIRES PRESS GAVE WIDE COVERAGE TO CANCELLATION
BY POLICE AUTHORITIES OF A "FEDERALIST" PARTY CLAMBAKE
TO HAVE BEEN HELD ON MAY 23 WITH FORMER PRESIDENTIAL
CANDIDATE FRANCISCO MANRIQUE PRESIDING-- IRONICALLY, ONE
OF THE FEW OLD GUARD POLITICIANS WILLING TO ENDORSE
THIS GOVERNMENT'S PROGRAMS. A THINLY DISGUISED AND
HEAVILY POLITICAL PERONIST DINNER SCHEDULED THE
FOLLOWING EVENING-- IT WAS TO FEATURE VISITING MEMBERS
OF AN INTERNATIONAL
ONAL TRADE UNIONS DELEGATION (SEE
BUENOS AIRES 4309) WAS CANCELLED IN THE SAME MANNER.

10. (U) ONE PAPER'S PERSPECTIVE ON THE IACHR---
LA PRENSA, WHICH HAS EMERGED AS A LEADING HUMAN RIGHTS

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FM AMEMBASSY BUENOS AIRES
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ADVOCATE, CALLED THE PROSPECTIVE VISIT OF THE OAS HUMAN
RIGHTS COMMISSION TO ARGENTINA "FOREIGN INTERFERENCE."

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THE EDITORIAL SAID NO "INVESTIGATORS"... "HAD ANYTHING TO SAY" ABOUT GEN ARAMBURU'S ASSASSINATION. LA PRENSA MAINTAINS IN EDITORIALS AND COLUMNS THAT ARGENTINA SHOULD HONESTLY FACE ITS HUMAN RIGHTS PROBLEMS AND SOLVE THEM WITHOUT HAVING TO BE GOADED OR INTERFERED WITH BY FOREIGN INFLUENCE.

11. (U) MILITARY PRONOUNCEMENTS---
SPEAKING ON ARGENTINE ARMY DAY (MAY 29)
ARMY CINC VIOLA CATEGORICALLY STATED THAT "HUMAN RIGHTS HAVE NOT BEEN VIOLATED HERE. THERE HAS BEEN A WAR, A SAVAGE VIOLENCE UNLEASHED BY TERRORISM, WHICH WAS RESOLUTELY FACED AND OVERCOME BY THE ARMED FORCES." TO THE FAMILIES MOURNING THEIR LOSSES, HE SAID, "THE ARMY'S
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SOLE EXPLANATION IS THAT THE FATHERLAND ENTRUSTED IT WITH ENSURING LIBERTY."

EARLIER ON MAY 23, THIRD ARMY CORPS (CORDOBA)
COMMANDER MENENDEZ SAID HIS MEN WOULD STAY IN TUCUMAN "UNTIL I DO NOT KNOW WHEN" TO CARRY ON THE CAMPAIGN AGAINST SUBVERSION. "THE IDEOLOGUES OF MARXISM PERSIST AT THEIR TASK," HE WARNED "NOT BECAUSE THEY WANT TO, SINCE THEY HAVE EXPERIENCED THE STRENGTH OF OUR WEAPONS... BUT BECAUSE THEIR RED MASTERS PUT THEM BACK INTO THE FIGHT. WE MUST REMAIN VIGILANT TO SEE THAT MARXISM WILL NEVER RECRUIT AN ARGENTINE CITIZEN OR DISTURB THE PEACE OF OUR COUNTRY."

GENERAL MNENDEZ AGAIN DENOUNCED MARXISM IN HIS ARMY DAY SPEECH MAY 29. AFTER HE ANNOUNCED THAT THE SERVICES " WOULD TAKE AS LONG AS RQUIRED" TO INSTALL "A DEMOCRACY THAT WILL LAST 100 YEARS," HE SAID: "WE WILL NEVER AGAIN HAVE MARXISM OR ANY OTHER 'ISM." WHETHER FROM THE LEFT OR THE RIGHT. DEMOCRACY FOREVER." AND HE ADDD: "...THE ARGENTINE CITIZEN TODAY, WHO HAS THE SAME VIRTUES OF THE ARGENTINE OF OLD, WILL NOT BE ABLE TO LIVE WITHOUT FREEDOM."

12. [REDACTED] "NON-POLITICAL TORTURE" REPORTED---
CITING THE POPULAR TABLOID "CHRONICA" THE HERALD OF MAY 28 REPORTED THAT TORTURE OF HEBER RICARDO YOZZI VELAZQUEZ DURING DECEMBER OF 1978 TO EXTRACT A CONFESSION FOR MURDER. MRS YOZZI SAYS THE CONFESSION WAS IN FACT OBTAINED ONLY AFTER SHE WAS TORTURED IN HER HUSBAND'S PRESENCE AND THREATS OF SIMILAR TREATMENT WERE MADE

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AGAINST ONE OF THE COUPLE'S SONS. MRS YOZZI ASSERTS
HER HUSBAND' INNOCENCE OF THE MURDER CHARGE. THE
REPORT MAY NOT BE ACCURATE BUT IT IS WORTH NOTING THAT
"CHRONICA" DERIVES ITS SUCCESS FROM ITS LURID NEWS
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TREATMENT.

13. (U) THE HERALD ON MAY 17 REPORTED THE ARREST IN
MAR DEL PLATA OF A POLICE COMMISSIONER, A RETIRED
POLICE NCO AND TWO POLICEMENT-- PLUS SEVERAL TRAVE AGENCY
EMPLOYEES-- ON SUSPICION OF FORGING IDENTITY DOCUMENTS.
THE RING OF SUSPECTED FORGERS "AIDED" HURRIED TRAVELERS
WITH DOCUMENTATION.

14. (U) THE HERALD ALSO REPORTED MAY 17 PRVENTIVE
ARREST OF POLICE PERSONNEL ON CHARGES OF HOLDING A PER-
SON ILLEGALLY AND THUS VIOLATING HIS RIGHTS AS A CITIZEN.
THE VICTIM INCURRED SUSPICION OF MURDER WHEN, ACCORDING
TO THE POLICE NOW THEMSELVES UNDER ARREST, HE MADE CON-
TRADICTORY STATEMENTS ABOUT THE DEATH OF AN AUNT.

15. (U) "LA OPINION" REPORTED ON MAY 24 THE SENTENCING
OF EIGHT SUBVERSIVES BY A FEDERAL COURT HERE. JORGE
DANIAL PEDRAZA AND RAUL MANSILLA RECEIVED TEN YEARS FOR
POSSESSION OF ARMS, ILLICIT ASSOCIATION, ARSON AND
ATTEMPTS AGAINST PUBLIC COMMUNICATIONS AND PRIVATE
INSTITUTIONS. JOSE KERZY RECEIVED 8 YEARS, LUIS
PSEIFFER AND MAUEL DEL FAVRO RECEIVED 6, AND ISAIAS
VICTORIO ASLER AND MARIA CRISTINA BOIRI 3 YEARS ON
SIMILAR CHARGES. ANOTHER TEN YEAR SENTENCE WAS HANDED
ROBERTO LUGLI FOR ARSON, ARMS POSSESSION, AND DEPRIVA-
TION OF ANOTHER PERSON'S LIBERTY.
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